



IPW \$RCE 1624

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/079,452
Filing Date	February 20, 2002
First Named Inventor	Christopher F. Claiborne, et al.
Group Art Unit	1624
Examiner Name	Rao, Deepak R.
Attorney Docket Number	

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 C.F.R. § 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply 07/06/2004 SDIRETR1 00000033 132755 10073452

ii. ☐ Affidavit(s)/Declaration(s) 01 FC:1601 770.00 DA

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Return Receipt Postcard (itemized)

v. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Other _____

3. **Fees**

☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. **13-2755**

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. ☐ Other _____

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Mitul I. Desai	Registration No.	46,661
Signature		Date	June 30, 2004

NOTE: SEND TO MAIL STOP RCE

CERTIFICATE OF MAILING OR FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Kathleen Reynolds		
Signature		Date	June 30, 2004



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Claiborne et al.	
Serial No.:	10/079,452	Case No.: 20832Y
Filed:	February 20, 2002	
For:	N-SUBSTITUTED NONARYL-HETEROCYCLIC NMDA/NR2B ANTAGONISTS	

Art Unit: 1624
Examiner: Rao,
Deepak


Commissioner for Patents
Mail Stop RCE
Box 1450
Arlington, VA 22313-1450

REQUEST FOR TWO MONTH TIME EXTENSION AND RESPONSE

In further response to the December 30, 2003 Office Action, as originally responded to with an Amendment dated April 29, 2004, Applicants respectfully request continued examination of the above-identified application. A Request for Continued Examination and accompanying Preliminary Amendment is enclosed herewith. Applicants respectfully request entry of the present Amendment prior to examination. The fee under 37 CFR 1.17(e) should be charged to Deposit Account **13-2755**.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail addressed to: Commissioner for Patents, Box 1450, Arlington, VA 22313-1450, on the date appearing below.

MERCK & CO., INC.

By: 
Mitul I. Desai

Date: JUNE 30, 2004

Serial No.: 10/079,452
Case No.: 20832Y
Page No.: 2

An Advisory Action mailed June 10, 2004 set the period for reply four months from the December 30, 2003 Office Action mailing date. Applicants thus request a two month extension to June 30, 2004, of the deadline to respond to the December 30, 2003 Office Action. The extension fee under 37 CFR 1.17(a)(2) should be charged to Deposit Account **13-2755**.

Any additional fees or overpayments in connection with this paper should be charged or credited to deposit account **13-2755**.